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February 8, 2018

Via Electronic Mail and Hand Delivery

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

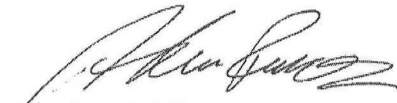
Re: Docket 4770 – Application of The Narragansett Electric Company d/b/a National Grid for Approval of a Change in Electric and Gas Base Distribution Rates

Dear Ms. Massaro:

Enclosed for filing in the above-referenced matter are ten (10) copies of The Company's Objection to the Motion to Intervene of ChargePoint, Inc.

Thank you for your attention to this matter.

Very truly yours,



Adam M. Ramos

AMR:cw
Enclosures

cc: Docket No. 4770 Service List (electronically only)

57464362 (57972.174791)

Docket No. 4770 - National Grid – Rate Application
Service list updated 2/2/2018

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**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
BEFORE THE PUBLIC UTILITIES COMMISSION**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY)
d/b/a NATIONAL GRID – ELECTRIC AND GAS)
DISTRIBUTION RATE FILING)

Docket No. 4770

**THE COMPANY’S OBJECTION TO THE
MOTION TO INTERVENE OF CHARGEPOINT, INC.**

I. INTRODUCTION

The Company¹ hereby objects to ChargePoint, Inc.’s (ChargePoint) Motion to Intervene (Motion). ChargePoint does not meet the criteria prescribed by Rule 1.13 of the Rhode Island Public Utilities Commission (PUC) Rules of Practice and Procedure to intervene in this matter. In particular, ChargePoint has no: (1) statutory right of intervention; (2) particularized interest in this matter that is not adequately represented by existing parties; or (3) claim that its intervention is necessary for the public interest. Thus, the PUC should deny ChargePoint’s Motion.

II. RELEVANT FACTS

The purpose of this docket is for the PUC to evaluate and adjudicate the Company’s request to increase its base distribution rates for its regulated gas and electric distribution businesses to meet its revenue requirements and provide a fair and reasonable rate of return. The PUC specifically created a separate docket for consideration of the Company’s Power Sector Transformation Plan – Docket No. 4780. All the Company’s proposals with respect to electric vehicles and electric vehicle charging are a part of Docket No. 4780. They are not included in this docket. ChargePoint has filed a motion to intervene in Docket No. 4780, and the Company is not opposing that motion.

¹ The Narragansett Electric Company d/b/a National Grid (the Company).

ChargePoint filed this Motion on January 29, 2018. In the Motion, ChargePoint acknowledges that the Company's electric vehicle proposals are a part of Docket No. 4780 and the Power Sector Transformation Plan. Nevertheless, ChargePoint asserts that "certain issues pertaining to the Electric Transportation Initiative may still be addressed in Docket No. 4770." Motion at ¶ 13. ChargePoint provides no support for that proposition. Nor has ChargePoint identified any specific aspects of the Company's base distribution rate proposals that it claims would result in impacting its interests or the electrification of vehicles in Rhode Island. Consequently, it is clear that ChargePoint has not identified a specific interest in this docket that requires representation as an intervening party.

III. LEGAL STANDARD

Rule 1.13 of the PUC Rules of Practice and Procedure establishes the standards for a person to intervene as a party in a proceeding before the PUC. There are three means by which a person can establish intervenor status: (1) a statutory right; (2) an affected interest not adequately represented by existing parties; and (3) furtherance of the public interest. The PUC has reiterated that it will be cautious in granting intervenor status and will work to ensure that a movant actually meets one of the three criteria established in PUC Rule 1.13(b). See The Narragansett Electric Company, Docket No. 3739, Order No. 18794, at 17 (December 27, 2006) (citing, In Re: Hi-Speed Ferry, LLC, 746 A.2d 1240, 1245-1246 (R.I. 2000)).

IV. ARGUMENT

ChargePoint does not satisfy any of the Rule 1.13 criteria for intervention. Simply put, ChargePoint has no: (a) statutory right to intervene; (b) particularized interest that requires special representation in this docket beyond the existing parties; nor (c) public interest reason for intervening.

A. ChargePoint Has No Statutory Right To Intervene

ChargePoint does not contend that it has a statutory right to intervene. There is no statute that would provide such a right. Thus, Rule 1.13(a) cannot be the basis for ChargePoint's attempted intervention.

B. ChargePoint Has No Interests In This Docket

ChargePoint argues that it has an interest in the Company's proposals that impact electric vehicles and charging stations for such vehicles. ChargePoint has not, however, demonstrated how the Company's base distribution rate proposals in this docket might affect those interests. In fact, ChargePoint acknowledges that the Company's proposals related to electric vehicles are part of a separate docket that the PUC created to consider the Company's Power Sector Transformation proposals. ChargePoint nevertheless seeks to intervene in this docket based on the unsupported assertion that issues related to electric vehicles "may still be addressed." ChargePoint, however, has not explained what issues "may still be addressed" or how any such issues might arise. It has not identified any aspect of the Company's base distribution rate filing that it claims implicates ChargePoint's interests in electric vehicles. The Motion, therefore, provides no basis for the PUC to conclude that ChargePoint has met the requirement that it have an interest that will be affected by this proceeding, but that is not represented adequately by the existing parties.

This is not a stakeholder proceeding; it is an adjudicatory proceeding. The framework for the two types of proceedings is different fundamentally. In a stakeholder proceeding, interest in the subject matter of the proceeding can serve as justification for participation. Such proceedings are, by their very nature, intended to capture as many participants as possible to gather input. Adjudicatory proceedings are more circumscribed. Everyone who is a stakeholder

on a particular issue is not also a party with a unique interest that will be affected by the outcome of an adjudication by the PUC. Moreover, unlimited participation by stakeholders in adjudicatory proceedings would make the proceedings administratively unwieldy. Placed in context here, if ChargePoint is granted intervening party status, it will be able to participate fully as a party, despite the fact that its interests, if any, are limited. It makes sense, therefore, that public interest entities such as the Rhode Island Division of Public Utilities and Carriers (the Division) and the Conservation Law Foundation are permitted to intervene in such proceedings. Additionally, it also makes sense to have industry groups, such as the Northeast Clean Energy Council represent the interests of subgroups of interested parties with shared interests. Furthermore, it makes sense to have truly unique individual parties, such as the Department of the Navy, participate as intervenors in adjudicatory proceedings.

Therefore, ChargePoint's unique position in the electric vehicle market may justify intervention in a proceeding that directly addresses electric vehicle proposals. That proceeding, however, is Docket No. 4780 for the consideration of the Company's Power Sector Transformation plan. It is not this docket. The mere supposition that issues related to electric vehicles may come up in this docket is not a basis to allow intervention in this docket.

C. The Public Interest Does Not Require ChargePoint's Intervention

ChargePoint does not directly assert that its intervention would further the public interest, but, regardless, it does not. ChargePoint's interest is in proposals related to electric vehicles. Raising those issues in this proceeding, where currently they are not even implicated, does not further the public interest, but would needlessly complicate the docket by introducing unrelated and immaterial issues. Moreover, the Division is charged with representing the public interest,

and nothing in the Motion raises any doubt about the Division's ability to fulfill its obligation to do so.

V. CONCLUSION

For the reasons set forth herein, the Company respectfully requests that the PUC deny ChargePoint's motion to intervene.

Respectfully submitted,

THE NARRAGANSETT ELECTRIC COMPANY

By its attorneys,



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Dated: February 8, 2018